

1 PAUL M. BERTONE (SBN 4533)
ERICKSON, THORPE & SWAINSTON, LTD.
2 P.O. Box 3559
Reno, Nevada 89505
3 (775) 786-3930
Attorneys for Plaintiff Michael J. Wells
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5
6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 MICHAEL J. WELLS,

CASE NO. 3:19-CV-00407-MMD-CLB

9 Plaintiff,

10 v.

**STIPULATION AND ORDER FOR
SUBSTITUTION OF COUNSEL**

11 ISABELLA CASILLAS GUZMAN, in her
official capacity as the Administrator of the
12 U.S. SMALL BUSINESS
ADMINISTRATION, *et al.*,

13
14 Defendants.
_____ /

15
16 Plaintiff MICHAEL J. WELLS, and his counsel of record, ERICKSON, THORPE &
17 SWAINSTON, Ltd., hereby agree, stipulate and consent to allowing ERICKSON THORPE
18 & SWAINSTON, LTD., to substitute out as counsel for Plaintiff, and for MIKE WELLS to
19 proceed *in pro per* in prosecuting the above-referenced case. This substitution is made and
20 entered into as ERICKSON THORPE & SWAINSTON has worked for years on this file, and
21 while they remain on very good terms with Plaintiff MICHAEL WELLS, the attorneys' fees
22 incurred are very large to date, and Plaintiff WELLS is unable to pay these fees, such that it
23 is a financial hardship and burden for ERICKSON THORPE & SWAINSTON to continue
24 prosecuting this case. At this point ERICKSON THORPE & SWAINSTON is going to
25 "write off" all outstanding billings, and turn over the file to MR. WELLS and allow him to
26 proceed forward *in pro per*, and this has been agreed to by MR. WELLS.

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1 As per U. S. Dist. Ct. Rules D.Nev., LR IA 11-6 (e), this substitution of counsel is not
2 anticipated to result in any delay of discovery, trial, hearing or other deadline currently set in
3 the case.

4 As per U. S. Dist. Ct. Rules D.Nev., LR IA 3-1, the new agreed contact information
5 for Mike J. Wells shall be as follows: 1344 Disc Drive #102, Sparks, Nevada 89436; (775) 742-
6 0490 (cell); mikewellsinreno@gmail.com (email).

7 Dated this 14th day of March, 2022.

8 ERICKSON, THORPE & SWAINSTON, LTD.

9
10 By /s/ Paul M. Bertone
11 PAUL M. BERTONE, ESQ. (SBN 4533)
12 P.O. Box 3559
13 Reno, Nevada 89505
14 Telephone: (775) 786-3930
15 *Attorneys for Plaintiff Michael J. Wells*

16 DATED this 14th day of March, 2022.

17 BY: /s/ Mike Wells
18 MIKE WELLS
19 1344 Disc Drive #102
20 Sparks, Nevada 89436
21 Telephone: (775) 742-0490
22 *Acting in pro per as counsel for Plaintiff*

23 * * * * *

24 **ORDER**

25 Having considered the above Stipulation for Substitution of Counsel, and good cause
26 appearing, IT IS HEREBY ORDERED: that Plaintiff MICHAEL J. WELLS shall be substituted for
27 the firm of ERICKSON THORPE & SWAINSTON, LTD., as counsel of record for the Plaintiff, and
28 that Plaintiff MICHAEL J. WELLS shall thereafter, and hence forth, be deemed to serve as counsel
for Plaintiff, *in pro per*, in the above-captioned case.

DATED this 14th day of March, 2022.


UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of ERICKSON, THORPE & SWAINSTON, LTD., and that on this day I personally served a true and correct copy of the foregoing *Stipulation and [proposed] Order for Substitution of Counsel*, by Electronic Mail through the United States District Court's CM/ECF Filing System, to:

Holly A. Vance
Assistant U.S. Attorney
400 S. Virginia Street, Suite 900
Reno, NV 89501

and by U.S. Mail, to:

Mike Wells
1344 Disc Drive #102
Sparks, Nevada 89436

DATED this 14th day of March, 2022.

/s/ Dana Matthews
Dana Matthews